

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BOOZ ALLEN HAMILTON, INC., et al.,

Defendants.

Case No.: 1:22-cv-01603-CCB

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 104.7

Pursuant to Local Rule 104.7, I hereby certify that counsel for the Defendants have conferred with counsel for Plaintiff United States of America (“DOJ”) in a good-faith effort to resolve the discovery differences that were the subject of the attached Motion to Compel Investigation Materials Withheld on the Basis of Privilege (“Motion”). The parties have been unable to resolve the issues that were the subject of the Motion. The initial Motion was not served until after Defendants and DOJ had met and conferred multiple times regarding the issues and also exchanged correspondence regarding the same.

Additionally, Defendants’ counsel and DOJ have met and conferred regarding the Motion on August 18, 2022, at 8 PM, via teleconference between Marguerite Sullivan, Christopher Brown, G. Charles Beller, Todd Stenerson, Matthew Modell, Jacob Coate, Jay Own, Alexander Cohen, Steven Kramer, and Arianna Markel. This August 18, 2022 conference took place after the parties completed their motion to compel briefing on August 17, 2022, per Local Rule 104.8(b). Despite good-faith efforts, the parties were not able to resolve the discovery disputes discussed in Defendants’ Reply Brief in Support of their Motion to Compel. The issues still requiring resolution are:

- Whether Plaintiff should shall produce, in full (1) all documents withheld, in whole or in part, solely on the basis of the deliberative process privilege; (2) all documents withheld, in whole or in part, on grounds on the deliberative process and attorney-client privilege; and (3) all documents withheld on the ground of attorney work product, insofar as those documents are described as “requesting” or “conveying” information and do not purport to contain attorney mental impressions;
- Whether Plaintiff should review all documents not produced in full for factual material and produce to Defendants updated copies with that factual material unredacted; and
- Whether the parties should agree to a set of documents to identify for the Court to review *in camera*.

Each of these pending issues is discussed in more detail in the attached and the previously served Defendants' Motion to Compel (Ex. A), and Plaintiff's Opposition thereto (Ex. B), and Defendants Reply in Support of Defendants' Motion to Compel (Ex. C.).

Dated: August 18, 2022

/s/ G. Charles Beller

G. Charles Beller (Bar No. 30372)
Molly M. Barron (Bar No. 19151)
Amanda P. Reeves (*admitted pro hac vice*)
Marguerite M. Sullivan (*admitted pro hac vice*)
Anna M. Rathbun (*admitted pro hac vice*)
Christopher J. Brown (*admitted pro hac vice*)
LATHAM & WATKINS LLP
555 Eleventh Street, NW, Suite 1000
Washington, DC 20004
Telephone: (202) 637-2200
Facsimile: (202) 637-22001
molly.barron@lw.com

amanda.reeves@lw.com
marguerite.sullivan@lw.com
anna.rathbun@lw.com
chris.brown@lw.com
charlie.beller@lw.com

Alfred C. Pfeiffer Jr. (admitted *pro hac vice*)
Kelly S. Fayne (admitted *pro hac vice*)
LATHAM & WATKINS LLP
505 Montgomery Street, Suite 2000
San Francisco, CA 94111
Telephone: (415) 391-0600
Facsimile: (415) 395-8095
al.pfeiffer@lw.com
kelly.fayne@lw.com

Attorneys for Defendants EverWatch Corp., EC Defense Holdings, LLC, and Analysis, Computing & Engineering Solutions, Inc.

/s/ Todd M. Stenerson

Todd M. Stenerson (Bar No. 14194)
Ryan Shores (admitted *pro hac vice*)
Matthew Modell (admitted *pro hac vice*)
Adam B. Schwartz (Bar No. 30358)
Jacob M. Coate (Bar No. 30355)
David A. Higbee (Bar No. 30364)
Benjamin Gris (*pro hac vice* pending)
SHEARMAN & STERLING LLP
401 9th Street, NW, Suite 800
Washington, DC 20004
Telephone: (202) 508-8000
Facsimile: (202) 508-8100
todd.stenerson@shearman.com
ryan.shores@shearman.com
matt.modell@shearman.com
adam.schwartz@shearman.com
jacob.coate@shearman.com
david.higbee@shearman.com
ben.gris@shearman.com

Susan Loeb (admitted *pro hac vice*)
SHEARMAN & STERLING LLP
599 Lexington Avenue

New York, NY 10022
Telephone: (212) 848-4000
Facsimile: (212) 848-7179
susan.loeb@shearman.com

*Attorneys for Defendants Booz Allen Hamilton
Inc. and Booz Allen Hamilton Holding
Corporation*

CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2022, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the sealed documents to be served on upon the following in the manner indicated:

Ariana Wright Arnold (Bar No. 23000)
UNITED STATES ATTORNEY'S OFFICE
DISTRICT OF MARYLAND
36 S. Charles Street, Fourth Floor
Baltimore, MD 21201
ariana.arnold@usdoj.gov
Attorneys for Plaintiff

VIA ELECTRONIC MAIL

Kevin Quin
Jay Owen
Bryn Williams
Arianna Markel
C. Alex Cohen
Benjamin Rudosky
Alexander Andresian
Miranda Isaacs
Martha Fitzgerald
Kerrie Freeborn
Jonathan Mincer
Natalie M. Hayes
U.S. DEPARTMENT OF JUSTICE
ANTITRUST DIVISION
450 Fifth Street, NW, Suite 8700
Washington, DC 20530
kevin.quin@usdoj.gov
jay.owen@usdoj.gov
bryn.williams@usdoj.gov
arianna.markel@usdoj.gov
alex.cohen@usdoj.gov
benjamin.rudofsky@usdoj.gov
alexander.andresian@usdoj.gov
miranda.isaacs@usdoj.gov
martha.fitzgerald@usdoj.gov
kerrie.freeborn@usdoj.gov
jonathan.mincer@usdoj.gov

VIA ELECTRONIC MAIL

natalie.hayes@usdoj.gov
Attorneys for Plaintiff

/s/ G. Charles Beller

G. Charles Beller (Bar No. 30372)